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HEL177/4-1145



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,401	03/09/2004	Michael Cafaro	HEL177/4-1145

21586
VINSON & ELKINS, L.L.P.
1001 FANNIN STREET
2300 FIRST CITY TOWER
HOUSTON, TX 77002-6760

RECEIVED

AUG 16 2004
IP DOCKET OFFICE
VINSON & ELKINS

CONFIRMATION NO. 9021

FORMALITIES LETTER



OC000000013508276

Date Mailed: 08/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-4.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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A copy of this notice MUST be returned with the reply.

T.TU

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Vinson & Elkins
ATTORNEYS AT LAW



August 31, 2004

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CERTIFICATE OF MAILING

I, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

August 31, 2004
Date


Timothy S. Corder

Re: U.S. Patent Application Serial No. 10/796,401 entitled "VARIABLE ION HAIR STYLING APPLIANCES" by Michael Cafaro; Confirmation No. 9021
Our Ref. No.: HEL177/4-11US


Sir:

Enclosed for filing in the above-referenced patent application is:

1. Supplemental Response to 37 C.F.R. § 1.53(d) Notice;
2. Formal Drawings 1-4 on 4 sheets; and
3. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

No fees are believed to be due in connection with the filing of these documents; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is hereby authorized to deduct said fees from VINSON & ELKINS L.L.P. Deposit Account No. No. 22-0365/HEL177/4-11US.

Respectfully submitted,


Timothy S. Corder
Reg. No. 38,414

9282:5588

Enclosures

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CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
August 31, 2004 Date	 Timothy S. Corder

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michael Cafaro

Serial No.: 10/796,401

Filed: March 9, 2004

For: VARIABLE ION HAIR STYLING
APPLIANCES

Group Art Unit: 3749

Examiner: Unknown

Atty. Dkt. No.: HEL177/4-11US

Confirmation No. 9021

SUPPLEMENTAL RESPONSE TO 37 C.F.R. § 1.53(b) NOTICE

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 1.53(b) dated August 11, 2004 (the "Notice"), the due date for response for which is October 11, 2004. This paper is thus believed to be timely filed. No fees are believed to be due with the filing of this paper, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Vinson & Elkins L.L.P. Deposit

Account No. 22-0365/HEL177/4-11US. In response to the Notice, enclosed herewith are the following documents:

- (a) Formal Drawings 1-4; and
- (b) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Timothy S. Corder
Reg. No. 38,414
Agent for Applicant

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512-542-8446

Date: August 31, 2004